

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ERIN SPENCER et al.,

Plaintiffs,

-against-

KNIX WEAR, INC. et al.,

Defendants.

Case No. 1:23-cv-07823

**ORDER**

JENNIFER L. ROCHON, United States District Judge:


The Court is in receipt of the parties’ motions for final approval and attorney fees. ECF Nos. 37, 39. During the preliminary-approval hearing, the Court expressed its concern that Plaintiffs do not seek attorneys’ fees for which their counsel was already compensated in a similar action brought by their counsel, *Dickens v. Thinx, Inc.*, Case No. 22-cv-04286 (JMF) (S.D.N.Y.). ECF No. 35 at 18:18-21. Plaintiffs responded that there was a “major divergence in terms of the work that was done” and that they would make it “very clear in [their] fee application where there might have been overlap and where, in fact, there is not.” *Id.* at 20:5-10.

However, Plaintiffs have not explained (let alone substantiated) how the attorney fees requested in this case are not significantly duplicative of those awarded in *Thinx* in the materials submitted for this case’s final-approval conference. By **April 18, 2024, at 12:00 p.m.**, Plaintiffs shall submit a letter brief addressing the Court’s previously expressed

concerns about duplicative compensation. Plaintiff shall also submit billing records for the Court's *in camera* inspection.

Dated: April 15, 2024  
New York, New York

SO ORDERED.

  
JENNIFER L. ROCHON  
United States District Judge